

FILED

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

JAN 14 2015

JULIE A. RICHARDS, CLERK
US DISTRICT COURT, EDNC
BY Go DEP CLK

United States of America

v.

JESSE LEE KUHL

Case No. 5:15-mj-1069

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 13, 2015 in the county of Wake in the
Eastern District of North Carolina, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. 875(c)

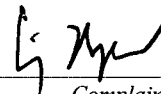
Transmission of threatening communications interstate;

18 U.S.C. 2261A

Using an electronic communication service to engage in a course of conduct with the intent to harass or intimidate another person, in violation of 18 U.S.C. 2261A.

This criminal complaint is based on these facts:

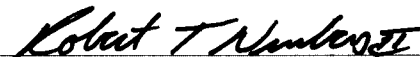
See attached.

☒ Continued on the attached sheet.*Complainant's signature*

Craig Noyes, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 1/14/15*Judge's signature*City and state: Raleigh, North Carolina

Robert T. Numbers, II

Printed name and title

AFFIDAVIT

Your affiant, **Special Agent Craig W. Noyes**, of the Federal Bureau of Investigation (FBI), Raleigh Resident Agency, having been duly sworn, state the following:

1. I am a duly appointed Special Agent (SA) of the FBI and have been employed as such for the past seven (7) years. Your affiant is currently assigned to the Charlotte Division, Raleigh Resident Agency, Raleigh, North Carolina, to investigate violations of federal law. Your affiant is primarily assigned to investigate matters involving domestic terrorism, including those laws relating to the federal firearms violations below. Your affiant has conducted investigations which have resulted in the arrest and conviction of several individuals for violations related to the unlawful possession of firearms. Furthermore, your affiant has conducted, as well as assisted other law enforcement officers, with physical surveillance, search warrants, and arrests of persons involved in weapons violations in relation to potential and actual acts of domestic terrorism. Between 2002-2007, prior to joining the FBI as a special agent, your affiant practiced law in the State of North Carolina as a licensed attorney.

2. This affidavit is submitted in support of a criminal complaint charging JESSE LEE KUHL (hereinafter "KUHL") with the following:

a. Knowingly and willfully transmitting in interstate commerce a communication containing a threat to injure a person in violation of Title 18 United States Code Section 875(c); and

b. Using, with the intent to kill, injure, harass and intimidate, an interactive computer service, electronic communication service, electronic communication system of interstate commerce, or other facility of interstate and foreign commerce to engage in a course of conduct that caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to a known individual in violation Title 18 United States Code Section 2261(A).

3. The information contained in this affidavit is based on my knowledge of the facts and evidence obtained during the FBI's investigation of KUHL and comes from my personal observations, my training and experience, and information obtained from other law enforcement agents and witnesses. Since this affidavit is being submitted for the purpose of establishing probable cause for the issuance of an arrest warrant, I have not included each and every fact known to me

concerning this investigation, and have set forth only those facts I believes are necessary for said purpose.

Investigation

4. On October 10, 2014, four (4) emails were sent from email address jessekuhl@yahoo.com to the email address Cassandra.deck-brown@raleighnc.gov. The emails are as follows:

a. At 1:24am, with subject line: no wonder Raleigh has a Black Chief; "im going to kill one of you for what you started in 2005/06."

b. At 1:25am with subject line: i will send your names through pelican bay; "it wont matter that your african lady. i will tell the bgf to kill you."

c. At 1:25am with subject line: this is why raleigh would have a black chief of police; "you people deserve to die."

d. At 1:28am with subject line: RESIGN; "you must resign your position as chief. mike ingle would be hiding behind a black crook like you he obviously grew-up on that side of terry sanford because the ingles do NOT know Terry Grimble. LEAVE Raleigh immediately , or else."

5. The Raleigh Police Department served legal process to obtain the Internet Protocol (hereinafter "IP") address associated

with the email address jessekuhl@yahoo.com. The IP address resolved to PAMELA JEAN BELL, 654 Birchwood Way, Turlock, CA 95380.

6. An Accurint database search identified KUHL and BELL as the current residents of 654 Birchwood Way, Turlock, CA 95380.
7. On January 5, 2015, a Special Agent (hereinafter "SA") with the FBI Sacramento Division, Modesto Resident Agency, attempted to interview KUHL at his last known address, 654 Birchwood Way, Turlock, CA 95380. The SA was informed by the current occupants that KUHL was no longer living at this residence. The SA was provided telephone number (209) 608-4295 as KUHL's current telephone number.
8. On January 6, 2015, an FBI SA telephonically contacted KUHL at (209) 608-4295. KUHL immediately stated he had quit drinking five (5) months prior. He stated he sent the emails in question while intoxicated. He said he was extremely angry at the police chiefs because they knew of his mistreatment by North Carolina Waste Management employees (KUHL's former employer). KUHL believed he was discriminated against due to being from Northern California and his knowledge of Waster Management employees bringing drugs into North Carolina. KUHL was advised by the interviewing SA that there were pending state criminal charges against him related to threatening remarks he made.

9. Following KUHL's admission that he sent the emails dated October 10, 2014, four (4) emails were sent from jessekuhl@yahoo.com to the email address Cassandra.deck-brown@raleighnc.gov on January 7, 2015. The emails are as follows:

a. At 4:58pm with subject line: F-u; "you dont have a customer service rep. from your local fbi call me - You get up and do your job . if i catch you niggers pitching crack 1 moretime I will be back in Raleigh with a very big knife."

b. At 5:00pm with subject line: you better watch your back!; "you area corrupt lying bitch and if i threatened you its because you were setup with that job to lie for the city of raleigh- You do realize whats going to happen to people like you - dont you?"

c. At 5:03pm with subject line: Ed Rhone; "ed told me about when the Fayetteville police dept. had a balck guys headcut off in. his bed off of deep creek road in east Fayetteville. he was a crack dealer with the King family"

10. On January 8, 2015, at 8:56am, email address jessekuhl@yahoo.com sent the following message to the email address Cassandra.deck-brown@raleighnc.gov with the subject line: pam bell/durham; "you should have paid your way - thats

why you caused pam bell to drink harder and die. i have taken 2 people my aunt Adela and this lady to the pain management clinic 2008/2014 that have died on me as roommates. you let this white trash talk us because he was looking for more cocaine out west. the future is going to hold a lot of trouble for your people- you better stay out of this business"

11. On January 13, 2015, eight (8) emails were sent from jessekuhl@yahoo.com to the email address Cassandra.deck-brown@raleighnc.gov. The emails are as follows:

a. At 4:04am with subject line: Resign; "Resign. You are in trouble. You aint arresting anybody nigger- i am so far over your head when i have this money i am going to get every one of you"

b. At 4:04am with subject line: Resign Nigger; "Now"

c. At 4:05am with subject line: Black Trash; "I demand you resign or you deserve to die."

d. At 4:07am with subject line: 187; "Look nigger- if you put a warrant on me in NC-youre a dead nigger!"

e. At 4:07am with subject line: 187; "I bet you you will not. And if i ever hear from the faggot fbi again because of you trash I am going to kill you"

f. At 4:10am with subject line: 187; "Fayetteville will hand me a shotgun to drive up there and fucking kill you bitch- you don't put a warrant on me. I will kill you"

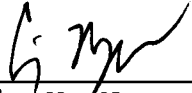
g. At 4:11am with subject line F- U Nigger; "187"

12. At 4:29am with subject line F-U nigger; "you better watch your backs!" Cassandra Deck-Brown, recipient of the above-described emails, is the Chief of the Raleigh Police Department, Raleigh, North Carolina, and received the described emails while in Raleigh, North Carolina.

Conclusion

13. Based on the foregoing, your affiant respectfully asserts that there is probable cause to believe KUHL knowingly and willfully transmitted in interstate commerce a communication containing a threat to injure a person in violation of Title 18 United States Code Section 875(c), and did use, with the intent to kill, injure, harass and intimidate, an interactive computer service, electronic communication service, electronic communication system of interstate commerce, or other facility of interstate and foreign commerce to engage in a course of conduct that caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to a known individual in violation Title 18 United States Code Section 2261(A). It is requested that an arrest warrant for the defendant be issued.

14. Under penalty of perjury, the above written affidavit is true and correct to the best of my knowledge and belief.



Craig W. Noyes
Special Agent, FBI

Subscribed and sworn to before me this the 14th
Day of January 2015, at Raleigh, North Carolina



ROBERT T. NUMBERS, II
United States Magistrate Judge